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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
vs.  
  
ROWLAND MARCUS ANDRADE,  
  
Defendant

Case No.: 3:20-cr-00249-RS

**DEFENDANT'S MOTION FOR  
ADMINISTRATIVE RELIEF TO  
EXTEND SELF-SURRENDER DATE**

**DEFENDANT'S MOTION FOR ADMINISTRATIVE RELIEF TO EXTEND SELF-  
SURRENDER DATE**

Defendant Rowland Marcus Andrade respectfully moves for a 90-day extension of his self-surrender date from October 31, 2025, to January 31, 2026, to accommodate (1) time-sensitive medical evaluations, scheduling, and recovery from left-ankle surgery, and (2) his essential assistance in the transition to new counsel for appellate and forfeiture preparations in this complex case. In the alternative, Mr. Andrade requests any shorter extension the Court deems appropriate (*e.g.*, December 30, 2025) and leave to submit medical documentation under seal or *ex parte* to protect privacy.

## I. GROUNDS

### 1. *Compelling Medical Necessity and Continuity of Care*

The Court extended Mr. Andrade’s self-surrender to October 31, 2025, to allow his colonoscopy on October 14, 2025. (Pierce Decl. ¶ 2; Andrade Decl. ¶ 2). Independent thereof, he requires urgent left-ankle surgery for a chronic injury causing excruciating pain and abnormal gait (left foot bends rightward, forcing him to nearly walk “on his ankle instead of his foot”). (Andrade Decl. ¶ 3).

On August 6, 2025, surgeons planned to remove damaged ankle tissue/bone but deferred for non-surgical treatment (cortisone shot), which failed. (*Id.* ¶ 4; Pierce Decl. ¶ 3). On October 8, 2025, his A1C level which was based off a 3-month average—critical for surgery given diabetes—was slightly elevated due to V.A. hospital delays in insulin (Novolog) delivery in the month of August 2025. (Andrade Decl. ¶ 5).

Post-consultation with his endocrinologist on October 9, 2025, he was shipped a device that will allow daily remote monitoring via mobile app to stabilize levels. A retest is set for November 6, 2025, expected to pass, enabling surgery in November or December 2025 followed by recovery. (*Id.* ¶¶ 6-7; Pierce Decl. ¶ 4). This extension ensures continuity of outpatient care, avoids BOP burdens, and aligns with the Court’s prior humanitarian accommodation. Mr. Andrade will promptly update the government and Probation on surgery details. (*Id.* ¶ 8).

### 2. *Case Complexity and Need for Defendant’s Assistance in Appellate Preparation*

This enormous case spans hundreds of docket entries, voluminous discovery, sealed financial exhibits, and intricate forfeiture and restitution issues. (Pierce Decl. ¶ 5; Andrade Decl. ¶ 9). With the recent transition to undersigned counsel, we are communicating with former counsel to retrieve essential work product. (Pierce Decl. ¶ 5). Mr. Andrade’s direct input—

1 reviewing forfeiture and restitution documents, trial evidence, constitutional related evidence,  
2 and contextualizing technical/financial records—is indispensable for preparing Ninth Circuit  
3 appellate briefs, forfeiture-restitution opposition, and other related appeals. (Andrade Decl. ¶¶ 9-  
4 10). Counsel was informed that the discovery record confirms that various witnesses in this case  
5 had communications using aliases and communicated in code. Counsel can’t figure this out with  
6 Andrade’s help. His pre-surrender absence risks inefficiencies, procedural defaults, and due  
7 process prejudice; a brief extension promotes judicial economy.

9  
10 *3. No Risk of Flight or Danger; Full Compliance*

11 As a first-time, non-violent offender with strong family ties, Mr. Andrade has fully  
12 complied with bond conditions, appeared at all proceedings, and earned Probation’s self-  
13 surrender recommendation. (Pierce Decl. ¶ 6; Andrade Decl. ¶ 11). He poses no flight or danger  
14 risk. For added assurance, he consents to temporary conditions (*e.g.*, home detention/GPS  
15 monitoring). (Pierce Decl. ¶ 8).

16 **II. PROCEDURAL POSTURE**

17 Pursuant to Civil L.R. 7-11(a) and Crim. L.R. 47-2(b), this administrative motion seeks a  
18 short continuance under Fed. R. Crim. P. 38. Supporting declarations and a proposed order are  
19 attached.  
20

21 **III. AUTHORITY**

22 The Court has inherent authority to modify self-surrender dates for good cause, including  
23 medical needs and appellate transitions. *See* 18 U.S.C. § 3143(b); Fed. R. Crim. P. 38; *United*  
24 *States v. Fower*, 30 F.4th 823, 827 (9th Cir. 2022) (“If the circumstances warrant, a district court  
25 may delay the imposition of sentence or extend the time to surrender to the BOP”); *United States*  
26 *v. Quesenberry*, 2025 WL 1533207 (E.D. Cal. May 29, 2025) (citing *Fower*, 30 F.4th at 827)

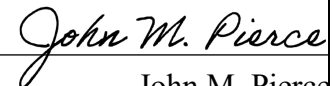
1 (“[D]istrict courts can and do extend self-surrender dates based on a defendant’s health and the  
2 need for medical care before incarceration”); *see also United States v. Staggs*, 2020 WL 7625229  
3 (D. Or. Dec. 22, 2020) (extending self-surrender date was appropriate to reduce Defendant’s risk  
4 of exposure to COVID-19). Modest continuances are routine for compliant defendants, avoiding  
5 hardship without prejudice.  
6

7 **IV. REQUEST**

8 The Court should extend the self-surrender date to January 31, 2026. Alternatively: (a)  
9 shorten as needed; (b) allow sealed/*ex parte* medical submission; and/or (c) impose temporary  
10 conditions.  
11

12  
13 Dated: October 13, 2025

14 Respectfully submitted,  
15

16  
17 

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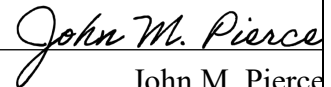
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*Attorney for Defendant*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on October 13, 2025, a true and accurate copy of the above and foregoing was filed on the above date with the Clerk of Court, using the Court's CM/ECF system, which will automatically provide notice and a copy of said filing to all parties or attorneys of record registered therein.



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